

1 Robert D. Rowland  
2 Lindsay Rakers  
3 **GOLDENBERG HELLER**  
3 **ANTOGNOLI & ROWLAND, P.C.**  
4 P.O. Box 959  
4 Edwardsville, Illinois 62025  
5 Telephone: 618-656-5150  
5 Facsimile: 618-656-6230  
6 Attorneys for Plaintiffs

7  
8  
9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11  
12  
13  
14

IN RE: BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
PRODUCT LIABILITY LITIGATION

)  
MDL NO. 1699  
District Judge: Charles R. Breyer

15 This Document Relates To:  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*Donald G. Newmann v. Pfizer Inc.*  
(05-5359 CRB)

)  
STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE

*Lehnen, Marie, et al. v. G.D. Searle, et al.*  
(06-2669 CRB)

*Marcy A. West v. Merck & Co., Inc., et al.*  
(06-3015 CRB)

*Jerry M. Dance v. Merck & Co., Inc., et al.*  
(06-3016 CRB)

*Edward Spinaio v. G.D. Searle, et al.*  
(06-3036 CRB)

*Lonnie Case v. Merck & Co. Inc., et al.*  
(06-3180 CRB)

*Richard Menzel v. Merck & Co., Inc., et al.*  
(06-3181 CRB)

*Vincent Calamia v. Merck & Co., Inc., et al.*  
(06-3182 CRB)

*Jessie Abbott v. Merck & Co., Inc., et al.*  
(06-3306 CRB)

1      *Berlin Jenkerson v. Merck & Co. Inc., et al.*      )  
2      (06-3307 CRB)      )  
3      *Thomas Kasper v. Merck & Co. Inc., et al.*      )  
4      (06-3309 CRB)      )  
5      *Josephine Tourville v. Merck & Co., Inc., et al.*      )  
6      (06-3310 CRB)      )  
7      *Arzle Stephens v. Merck & Co., Inc., et al.*      )  
8      (06-3311 CRB)      )  
9      *Henry Kahn, et al. v. Pfizer Inc..et al.*      )  
10     (06-4600 CRB)      )  
11     *Carol Copeland v. G.D. Searle LLC, et al.*      )  
12     (07-3023 CRB)      )  
13     *Suzanne Steinbach v. Merck & Co., Inc., et al.*      )  
14     (07-0495 CRB)      )  
15     *John Moseley v. Merck & Co., Inc., et al.*      )  
16     (07-0496 CRB)      )  
17     *Joni Hebblethwaite v. Merck & Co., Inc., et al.*      )  
18     (07-0498 CRB)      )  
19     *Kevin Miller v. Merck & Co., Inc., et al.*      )  
20     (07-0596 CRB)      )  
21     *Lena Scher v. Merck & Co., Inc., et al.*      )  
22     (07-2533 CRB)      )  
23     *Laurence Schmidt v. Merck & Co., Inc., et al.*      )  
24     (07-2534 CRB)      )  
25     *Patty Foreman v. Merck & Co., Inc., et al.*      )  
26     (07-2535 CRB)      )  
27     *Robert Miller v. G.D. Searle LLC, et al.*      )  
28     (07-3127 CRB)      )  
29     *Robert J. Smith, Jr., et al. v. Merck & Co., Inc., et al.*      )  
30     (07-3488 CRB)      )  
31     *Williamson, Wilburn, et al. v. Merck & Co., Inc., et al.*      )  
32     (07-3489 CRB)      )

---

26     Come now all the Plaintiffs in the above-entitled actions and Defendants, by and through  
27     the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby  
28

1 stipulate to the dismissal of these actions **with prejudice** as to all plaintiffs named therein with  
2 each side bearing its own attorneys' fees and costs.  
3

4 DATED: 11-2, 2009

5 By: *Robert Palti*

6 **GOLDENBERG HELLER**  
7 **ANTOGNOLI & ROWLAND, P.C.**  
8 P.O. Box 959  
Edwardsville, Illinois 62025  
Telephone: 618-656-5150  
Facsimile: 618-656-6230

9 *Attorneys for Plaintiffs*

10 DATED: Nov. 4, 2009

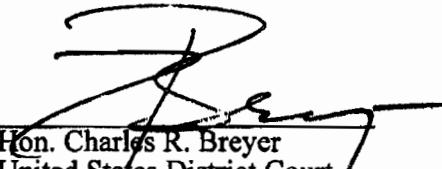
11 By: *Mark*

12 **DLA PIPER LLP (US)**  
13 1251 Avenue of the Americas  
New York, New York 10020  
Telephone: 212-335-4500  
Facsimile: 212-335-4501

14 *Defendants' Liaison Counsel*

15  
16  
17 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**  
18 **IT IS SO ORDERED.**

19  
20 Dated: NOV 13 2009

21  
22  
23  
24  
25  
26  
27  
28   
Hon. Charles R. Breyer  
United States District Court